

County of Los Angeles
DEPARTMENT OF PUBLIC SOCIAL SERVICES

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June 19, 2006

TO: Each Supervisor

FROM: Bryce Yokomizo, Director

SUBJECT: **MOTION PASSED ON MAY 10, 2006 INSTRUCTING THE CAO AND DPSS TO WORK WITH THE PERSONAL ASSISTANCE SERVICES COUNCIL (PASC) ON IMPLEMENTATION PLAN FOR A BACK-UP ATTENDANT PROGRAM IN LOS ANGELES COUNTY**

As instructed in your Board Motion of May 10, 2006, the Department of Public Social Services (DPSS) has been working in collaboration with the Chief Administrative Office (CAO) and the Personal Assistance Services Council (PASC), to report back on the development of a Back-Up Attendant program in Los Angeles County. The purpose of the program is to assist In-Home Supportive Services (IHSS) consumers on an emergent basis when their regular provider is temporarily unavailable. The PASC Implementation Plan has identified a target population with high-risk conditions. These consumers are most apt to require Back-Up Attendant services.

To serve this population of consumers, the PASC proposes to expand its existing Home Care Worker Registry by hiring additional staff and increasing the available hours of operation for attendant care. PASC will establish a potential pool of highly skilled caregivers to be available as back-up attendants for an extended day.

As instructed by your Board, the CAO has identified funds for this program which will be included as part of the CAO's Final Changes letter for your approval on June 26, 2006. Attached is a copy of the PASC's Implementation Plan for the Back-Up Attendant Program and proposed budget. The PASC proposes a cost of \$762,000 for the first year including start up costs of \$200,000. The estimated ongoing total program cost thereafter is \$780,000 per year.

Included in the Back-Up Attendant Program budget the PASC proposes to pay the Back-Up Attendant providers \$12 an hour, as opposed to the current \$8.45 hourly rate for all other providers. The higher proposed hourly rate is intended to reflect emergent need assignments on a stand-by basis to high-need consumers. Previously, the State had indicated that there would be no State or federal participation in the \$3.55 rate differential. However, staff are currently working with the California Department of Social Services (CDSS) to seek federal and State participation to fund the differential.

Additionally, your Board instructed DPSS to work with the PASC and the CDSS to identify solutions to any information technology system issues or modification necessary to implement the program. DPSS continues to work with CDSS to ensure payments will be issued to Back-Up Attendant providers in the most feasible method through our Case Management, Information and Payroll System.

Once implemented, the PASC will continually evaluate this program for need, usage, quality of service, and cost. In doing so, DPSS will work with the PASC to make changes when necessary. If it is determined that the pilot's evaluation warrants expansion, DPSS will work with the PASC, CAO and County Counsel to ensure the pilot continues to be in compliance with state law, rules and regulations.

It is recommended that your Board support the funding proposed by the CAO for PASC to implement the plan, and take final action by approving the funding for the plan in the CAO's Final Changes letter, on June 26, 2006. If you have any questions or wish to discuss, please let me know.

BY:vs

Attachment

c: Chief Administrative Officer
County Counsel
Personal Assistance Services Council (PASC)

PASC Back-up Attendant Program Implementation Plan

June 19, 2006

A. Introduction:

The Personal Assistance Services Council of Los Angeles County ("PASC") is charged by County Ordinance with responsibility for operating a Homecare Registry to serve the IHSS Consumers and homecare workers in Los Angeles County, and for otherwise enhancing IHSS services.

The primary purpose of the Registry is to provide a process through which IHSS Consumers in need of assistance are "matched" with homecare worker applicants and referred to one another for purposes of potential employment. To date, such Registry services have assisted only in the non-urgent placement of homecare workers to serve on an ongoing long-term basis. This proposed Back-up Attendant Program is designed to address the critical needs of IHSS Consumers in urgent need of homecare workers to assist them on a short-term basis when their long-term Provider is temporarily unavailable. The purpose of this Implementation Plan is to describe the pilot program to develop, introduce and evaluate a Back-up Attendant Program to meet such needs.

B. Overview and Justification:

Occasions requiring urgent back-up assistance typically occur only on an infrequent basis for individual IHSS Consumers, but when they do develop, the potential harm can be devastating. A severely disabled Consumer temporarily deprived of assistance of a homecare worker faces immediate isolation as well as anxiety, discomfort and severe health risks associated with such essential activities as getting in and out of bed, obtaining food and liquids, attending to bowel and bladder care and maintaining basic sanitation. Such conditions place the Consumer at a severe risk of acute stress, infection, illness and injury, leading to use of costly emergency services, hospitalization, or other institutionalized settings. In short, for Consumers with severe disabilities who with normal support will do quite well in the setting of their own home, interruption of the basic supportive functions normally supplied by a homecare worker can lead to a cascade of health problems, rapidly becoming a traumatic and threatening event.

Consumers need a service they can call to obtain a temporary replacement worker, and avoid having to call for paramedic rescue services or go to hospitals or emergency rooms when they are unable to locate someone to provide their regularly scheduled in-home help. Similarly, homecare workers need to know that if they themselves become ill or injured, they will not be regarded as neglectful of their duties and that a substitute homecare worker will be available to care for their Consumer.

To address these critical needs, PASC has developed this plan for a pilot Back-up Attendant Program. This program would dispatch temporary back-up workers on short notice, to serve those IHSS Consumers with the most severe needs when their regular homecare worker has

become unable and unavailable to supply regular services.

Because the hours of work performed by the back-up worker are to replace hours which otherwise would have been performed by the regular-scheduled worker, and are charged against the Consumer's budgeted hours of service, the back-up services can be provided at only a modest additional cost. These services would be provided in circumstances where the regular homecare worker has become unavoidably unavailable, and the Consumer has exhausted all other available options for homecare services.

The pilot program will be continually evaluated with respect to extent of need, nature, manner, duration and quality of service, and cost. That evaluation will involve collection of data, and consultations with Consumers, Registry staff, DPSS staff, homecare workers and their union, and others. As a result, there may be adjustments to the Program as operations progress.

The provision of full and effective registry services was one of the most important obligations imposed upon PASC by the Board of Supervisors' ordinance at the time it created PASC. However, PASC initially focused upon the needs of the greatest number of IHSS Consumers, and deferred the addition of a back-up component. It is now time to upgrade the Registry's services by adding a Back-up Attendant Program so that PASC can offer to Consumers a complete, full-service Registry.

C. General Description of Back-up Attendant Program Operations:

PASC believes that there is an adequate pool of available qualified persons to serve as occasional back-up attendants, assuming that reasonable incentives are offered to compensate them for the challenges inherent in short-notice, limited duration assignments to care for Consumers with severe disabilities. One source of such persons is the existing body of homecare workers engaged in regular long-term assignments of a part-time nature, which leave them with capacity for occasional temporary additional homecare assignments at times (and within geographic areas of availability) convenient to them. These workers are experienced with the IHSS program and the expectations of Consumers who utilize homecare services. Using them for this purpose should not detract from their ongoing regular assignments, because for these occasional back-up opportunities they would only be available at times outside their regular assignments. Indeed, special care will be taken to ensure that Consumer's existing caregiver relationships are not destabilized by the opportunities under this Back-Up Attendant Program. In addition, the PASC will launch a special recruitment effort to attract additional qualified workers, such as homecare workers or home health aides, who are not currently enrolled in the PASC registry, but are interested in part-time, temporary, short-term, or short-notice work with individual IHSS clients.

Back-up Attendant services will be provided as an adjunct to the existing PASC Homecare Registry, which is experienced with operation of registry functions, skills, equipment and computer assistance. Registry staff will be augmented, and hours and shifts will be added to handle the dispatch of Back-up homecare workers. Current operations of the Registry's call center, including Registry policies, procedures, database and computerized "matching" functions, will be adapted and expanded to meet the needs of this new program. The Registry will maintain

data regarding homecare workers who wish to work temporarily as back-up attendants, and who have been pre-qualified by experience and skills (including clearing a criminal background check) for inclusion in the Back-up Attendant program. The data will also include the geographical areas and times of availability for each of the back-up attendants.

In order to meet the urgent needs of Consumers for back-up homecare services, Registry daily office hours will be lengthened, and the daily service hours will also be extended to weekends and holidays. There will be a dedicated toll-free telephone message system in operation to log requests for service during all off-hours for priority handling as soon as office hours resume. The off-hours message will include emergency information, including the APS hotline. The times of demand for back-up attendant services will be closely monitored and evaluated for consideration for later adjustment of office hours and personnel, as the pilot program progresses.

In order to serve the population of approximately 7,000 IHSS Consumers receiving 35 hours or more of personal care services, DPSS will facilitate access to CMIPS for all authorized IHSS service hours of this targeted clientele to PASC. DPSS will also assist PASC with coordinating the payment of premium rates which will be essential to attract qualified homecare workers to perform these back-up services.

The Registry will also closely coordinate requests for back-up attendant services with the need for placement of a regular long-term homecare worker for the same Consumer. Thus, in a typical case involving a Consumer whose regular homecare worker may have quit without notice, the Registry will be able to dispatch a short-term back-up attendant to cover the assignment while the Consumer is interviewing and selecting a regular long-term homecare worker from among candidates also referred by the Registry through its regular referral system.

This program will involve enhanced compensation (see below) exceeding the regular homecare worker hourly rate. It is therefore imperative, in order to preserve the integrity of the regular homecare worker pay system, and also to limit expenditures to budgeted funds, that back-up attendant assignments be coordinated through the Registry.

D. Consumer Recipients of the Back-up Attendant Program Services:

The Back-up Attendant Program will serve IHSS Consumers in Los Angeles County who meet both of the following criteria and who request back-up attendant services from the Registry:

1. Consumers who have been approved by DPSS to receive 35 or more hours per week of personal care services as part of their total authorized IHSS hours. This is solely a qualifying characteristic to focus this pilot program on the Consumers who are at highest risk if left unattended; it does not determine either the actual hours of back-up service or the nature of the services to be performed under the back-up program. Based on data provided by DPSS, PASC estimates that this criterion will enable the Back-Up pilot program to serve the approximately 7,000 Consumers who are most at risk in the event of interruption of their care.

2. Consumers who have an immediate need for back-up attendant services because the regular homecare worker, the Consumer's other regularly-assigned long-term homecare workers, and any designated back-up worker that the Consumer may have privately arranged, are all unavailable to assist the Consumer.

E. Requirement for Workers to Participate in the Back-up Attendant Program:

In order to be considered for Back-up Attendant Program assignments, workers must meet the following criteria:

1. Workers must qualify for and join the PASC Homecare Registry (including clearing of criminal background check), and also apply for inclusion in the Back-up Attendant Program, including a statement (which must be kept current) as to the skills they possess and the times and geographic areas in which they plan to be available to serve as a back-up attendant. They may at any time modify their stated times and geographical areas of availability, and will be expected to be generally available during the times and within the areas they have designated. Preference will be given to those skilled and experienced Providers who can provide prompt response, can provide continuity of care to meet the anticipated needs of the particular Consumer who is to be served (e.g., if the need is for three days, the Provider is prepared to serve all three), and have demonstrated responsiveness to previous back-up opportunities. A worker may reject occasional specific assignments, but frequency of rejections will be noted and may affect future referral calls to that worker for back-up assignments.
2. Back-up Attendants must have the ability to serve Consumers with severe disabilities, including skills to perform certain critical tasks such as bowel and bladder care and the safe transfer or repositioning of Consumers with severe disabilities.
3. Back-up Attendants must have attended an orientation class covering their duties and responsibilities, the principles of consumer-directed services and independent living and the policies and procedures of the Back-up Attendant program.
4. Back-up Attendants will be expected to attend a special training and pass a competency test on tasks needed for the care of Consumers with severe disabilities

F. Nature of Services to be Provided:

All in-home personnel and services provided under the Back-up Attendant Program are part of, and subject to, the independent Provider mode of service, which vests exclusive control over the selection, direction, supervision and termination of Back-up Attendants (just as is the case with regular homecare workers) solely with the Consumer. Although the Registry must pre-authorize each assignment and dispatch the Back-up Attendant, the Consumer retains the authority to reject any worker referred by the Registry (and to request another), and also to instruct and direct the performance of all services. Examples of the types of services that are anticipated to be provided under this Back-Up Program include:

- Assistance with ambulation
- Bathing, oral hygiene, and grooming
- Dressing
- Care and assistance with prosthetic devices
- Bowel, bladder, and menstrual care
- Repositioning, skin care, range of motion exercises, and transfers
- Feeding and assurance of adequate fluid intake
- Assistance with Consumer's self-administration of respiration equipment
- Assistance with Consumer's self-administration of medicine

Consistent with the IP service mode in effect in Los Angeles County, the provision of all services will be subject to the direction and control of the Consumer.

Due to the nature and urgency of assignments in this Back-up Attendant Program, and the need for the Back-up Attendants to respond quickly to transport themselves, locate unfamiliar premises and parking arrangements, and serve unfamiliar high-need Consumers on a short-term basis, this program assumes and requires that the services to be performed are to involve certain minimum hours. PASC will assess the minimum hours necessary to attract qualified workers consistent with the hours needed by the Consumer. Because of the hour for hour credit, PASC will seek to assign a Provider for the minimum number of hours needed by the Consumer. Initially, there will be a cap of 20 hours per month on the hours of service that can be provided to any one Consumer.

If the Program is not able to provide the type or duration of services needed by the Consumer, the Registry will attempt to locate and arrange services to meet the Consumer's immediate needs and will evaluate whether additional resources are needed to meet anticipated future demands. Because back-up services are intended to replace services that would otherwise have been performed by the regular long-term Provider, all back-up services rendered are to be charged hour-for-hour against the Consumer's authorized monthly IHSS hours. The Consumer is responsible for ensuring that the overall authorized hours for the month are not exceeded, and that all hours paid are actually worked, subject to the usual IHSS controls. PASC also recognizes that in times of emergency consumers may need additional hours and every effort will be made to expedite this with DPSS Social Workers.

G. Compensation for the Back-up Attendants:

This Program will pay Back-up Attendants an enhanced hourly rate (\$12.00 per hour) rather than the regular IHSS homecare worker base rate (currently \$8.45 per hour). The higher rate is intended to reflect the increased demands of the Back-up Attendant Program (short-term, short-notice assignments to unfamiliar high-need Consumers at unfamiliar locations). The Program will also offer assignments in such a way that the worker can, as a practical matter, count on a minimum amount of compensation for any given assignment.

The base rate amount within the Back-up Attendant pay (\$8.45 per hour) will continue to be

funded from the same sources as the regular homecare program (17.5% net County cost). Due to current uncertainty regarding State and Federal funding for the differential between the regular base rate and the higher Back-up Attendant rate, we are assuming for purposes of current budget planning that the differential will be paid totally by the County utilizing the funds specifically budgeted for this Program. At the same time, PASC is continuing to pursue with DPSS and the State our effort to make the full \$12.00 subject to standard reimbursement.

H. Implementation Timeline Targets:

Assuming that the proposed funding for the pilot program is secured by July 1, PASC will immediately commence implementation. During the initial start-up phase PASC plans to undertake the following tasks on a concurrent basis:

1. Recruit and hire the additional Registry staff, and train the entire Registry staff with respect to the Back-up Attendant Program requirements, methods and procedures.
2. Develop a program to recruit a cadre of new providers to be designated as back-up providers, using a set of hiring criteria that ensures a group of highly qualified workers and avoids diminishing the numbers of persons available to Consumers who call the Registry in search of a regular IHSS provider.
3. Develop all forms of documents and communications to be used to contact, recruit, and enroll both workers and Consumers in this new program, and also those forms necessary to operate the Program (such as new daily time-reporting forms to be used by Consumers and Providers to generate the premium pay for hours worked in this program).
4. Develop operating rules and protocols for staff and all participants in the Program.
5. Develop the necessary telephone and computer program changes and enhancements for Registry "matching" and assignment purposes.
6. Design and develop a special training program for back-up workers as well as a method for evaluating the skills of those workers to ensure they are qualified to serve high-need Consumers within the Program.
7. Complete any collective bargaining contract revisions needed to implement the negotiable aspects of the Program (principally the new wage and hour provisions).
8. Develop the criteria and methods for tracking and evaluating the design and performance of the pilot program, including its impact upon Consumers and Providers.

During the final start-up period, PASC plans to announce the pilot program to eligible participants, encourage those eligible to register in order that PASC will be able to expedite services if needed on an urgent basis, commence the ongoing registration of Consumer and worker participants, and commence the required introductory program for workers and the skill-training programs for workers. This stage includes extensive computer programming tasks such as inputting the application data (such as the worker's times and areas of availability) into the

“matching” program. The Back-up Attendant pilot program should, at the end of this time period, be poised to begin its actual operations.

In light of the urgent need for these services, every effort will be made to start on November 6, 2006, but, in any event, no later than January 2, 2007.

I. Budget:

The proposed budget for this pilot program is just under \$1 million dollars as explained more fully in the budget document attached as Appendix A.

**Back up Attendant Program
Pilot Program Budget**

Prepared : sg-6/8/06-rev5

	<u>Program Cost:</u>	<u>Net County Cost:</u> (NCC)	<u>NCC Rate:</u>
Start up Costs	<u>199,500</u>	<u>34,913</u>	17.50%
Fixed Costs:			
Personnel costs	282,555	49,447	17.50%
Consultancy & monitoring	30,000	5,250	17.50%
Telephone	15,000	2,625	17.50%
Supplies	6,000	1,050	17.50%
Background checks-ongoing	3,000	525	17.50%
Insurance	10,000	1,750	17.50%
Program training-ongoing	8,000	1,400	17.50%
Sub total -fixed costs	<u>354,555</u>	<u>62,047</u>	
Variable costs:			
Provider compensation*	238,560	238,560	100.00%
Contingency (service/training)	150,000	26,250	17.50%
Sub total-variable costs	<u>388,560</u>	<u>264,810</u>	
	<u>942,615</u>	<u>361,770</u>	
Overhead(5%):	47,131	8,248	17.50%
Total Program Costs:	<u>\$ 989,746</u>	<u>\$ 370,018</u>	

Service hours:	
Consumers:Target population	7,000
Utilization rate (5%):	350
Average hours/month/Consumer:	16
Service hours per month:	5,600
Total service hours:	67,200

Notes:

***Compensation calculation:**

AdditionalNCC for first \$8.45 of provider wages.

Pilot cost
\$0.00

Additional NCC due to \$12.00 hourly rate
for Back Up program provider

\$238,560

**Back Up Program- Pilot
BUP Personnel requirements**

	Duration	hrs/week	Rate	Total
Call answering & Despatch 6am-8pm daily= 7x14=98+7 overlap hrs	12 months	210	\$16.5/Hr	180,180.00
Program manager (0.75 FTE)	12 months	30	\$30/hr	46,800.00
Administration clerk (0.75FTE)	12 months	30	\$12/Hr	18,720.00
				<u>245,700.00</u>
Employers taxes & benefits		15%		36,855.00
Total Personnel costs				<u><u>282,555.00</u></u>

FTE=Full time equivalent

**Back Up Attendant
Pilot Program**
Start Up costs

Mailings, advertising	30,000
Legal	25,000
Equipment	12,500
Registry software, upgrades	20,000
Consumer database set up, protocols, forms	15,000
Worker recruitment, database, protocols, forms, applications, verifications	30,000
Program training (initial)	50,000
Background checks(initial)-DOJ costs	17,000
Total Start up costs	199,500